

REMARKS

Favorable consideration of this Application in light of the following discussion is respectfully requested.

Claims 1-30 are pending in the present Application. No new matter has been added.

By way of summary, the Official Action presents the following issues: Claims 1-3, 8-10, 15-18, 23-25, and 30 stand rejected under 35 U.S.C. § 102 as being anticipated by Linehan et al. (U.S. Patent No. 5,495,533, hereinafter Linehan); and Claims 2 and 9 stand rejected under 35 U.S.C. § 103 as being unpatentable over Linehan.

Applicants appreciatively acknowledge the identification of allowable subject matter of Claims 4-7, 11-14, 19-22, and 26-29.

INFORMATION DISCLOSURE STATEMENT

Applicants appreciatively thank the Examiner for his acknowledgement of references cited on the PTO-1449 form submitted with the Information Disclosure Statement (IDS) filed January 19, 2005; however, wish to bring reference "AW" to the Examiner's attention, which has not yet been initialed. A courtesy copy of the papers IDS filing papers of January 19, 2005 are enclosed for the Examiner's convenience. Accordingly, Applicants respectfully request the Examiner initial reference "AW" in acknowledgement of his consideration of same, and return a copy of the fully initialed PTO-1449 form to Applicants' representative.

REJECTION UNDER 35 U.S.C. § 102

The Official Action has rejected Claims 1-3, 8-10, 15-18, 23-25, and 30 under 35 U.S.C. § 102 as being anticipated by Linehan et al. (U.S. Patent No. 5,495,533). The Official Action asserts that Linehan discloses all of the Applicants' claim limitations. Applicants respectfully traverse the rejection.

Claim 1 recites, *inter alia*, an information providing apparatus having:

... a reception mechanism configured to receive a request message from a terminal, said request message identifies a key server and a key associated with predetermined content . . .

By way of background, multimedia content, such as audio MP3 files are increasingly distributed via the Internet. In such arrangements, authentication keys, keys for encrypting/decrypting contents, and, ultimately, the actual content itself are transferred between devices. In this arrangement, key exchange algorithms are limited to the processing ability of the corresponding devices, so as not to load the devices to the point that the exchange of multimedia files becomes impracticable.¹

In light of at least the above deficiency in the art, the present invention is provided. With at least this object in mind, a brief comparison of the claimed invention, in view of the cited references, is believed to be in order.

Linehan describes key archive, which is accessed upon authenticating a user. For example, as shown in Fig. 4, a personal key server (32) and an authentication server (34) are provided. The user employs a personal key client (36) for accessing the authentication and key servers. In operation, the authentication server authenticates the user and provides the user with a ticket identifying the user. When a user wishes to access stored content, the user provides the ticket and user identification data to the key server. In response, the key server returns a key corresponding to the desired content to the user for accessing the content.²

Conversely, in an exemplary embodiment of the Applicants' invention, a proxy server is provided to receive a request message from a terminal. The request message identifies a key server and a key associated with predetermined content. In other words, a reception

¹ See Application at pages 1-18.

² Linehan Abstract; Fig. 8, and col. 5, lines 11-16; col. 7, lines 11-14.

mechanism is provided to identify a key server. The reception mechanism is not the key server.

For example, in an exemplary embodiment, the telephone integrated device (501) communicates with a key server (21). The terminal (501) serves as a proxy with respect to key server (21).³ In this manner, information processing devices can quickly obtain download contents for preventing authorized content usage without overloading of key exchange processing.

Linehan does not disclose or suggest a reception mechanism for receiving a request message from a terminal in order to identify a key server and a key associated with predetermined content, as recited in Applicants' Claim 1, and any claim depending therefrom. Likewise, independent Claims 8, 15, 23 and 30 recite substantially similar limitations to that discussed above, and are also allowable over the cited art. Accordingly, Applicants respectfully request that the rejection of Claims 1-3, 8-10, 15-18, 23-25 and 30 under 35 U.S.C. § 102 be withdrawn.

REJECTION UNDER 35 U.S.C. § 103

The Official Action has rejected Claims 2 and 9 under 35 U.S.C. § 103 as being unpatentable over Linehan. The Official Action states that Linehan does not specifically disclose that the terminal is a portable device. However, the Official Action cites official notice as providing this more detailed aspect of the invention, and states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a portable device into the Applicants' claims for arriving at the Applicants' invention. Applicants respectfully traverse the rejection.

³ Application at page 31, lines 11-19.

As discussed above, Linehan does not disclose all the elements of the pending claims; and, therefore, the Official Action does not provide a *prima facie* case of obviousness with regard to any of the pending claims. Consequently, Applicants respectfully request that the rejection of Claims 2 and 9 under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present Application, including Claims 1-30, is patently distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

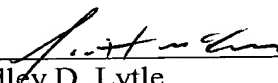
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

BDL:SAM:yes



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Scott A. McKeown
Registration No. 42,866